

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

UNITED STATES OF AMERICA,

Case No. 22-CR-325(3) (ECT/JFD)

Plaintiff,

v.

**ORDER**

EDGAR DANIEL HUITZIL,

Defendant.

---

This case is before the undersigned United States Magistrate Judge on the nondispositive pretrial motions filed by Defendant Edgar Huitzil (Dkt. Nos. 133, 134, 136). The Court held a motions hearing today, March 7, 2024. (Hr’g Mins. 1, Dkt. No. 142.) Assistant United States Attorney Nathan Nelson represented the United States and Jordan Kushner, Esq. represented Mr. Huitzil. (*Id.*) This case has been referred to the undersigned for resolution of pretrial matters pursuant to 28 U.S.C. § 636 and District of Minnesota Local Rule 72.1.

**ORDER**

Based on all the arguments of counsel, and on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Mr. Huitzil’s Motion for Disclosure of Jencks Materials (Dkt. No. 133) is **DENIED AS MOOT**. The Court has already ruled on the Jencks Act issue. (*See, e.g.*, Second Am. Pretrial Scheduling and Litigation Management Order 3, Dkt. No. 132.) The

Court notes that the motion was brought in a good faith argument for extension of existing law.

2. Mr. Huitzil's Motion for Release of *Brady* Materials (Dkt. No. 134) is **DENIED AS MOOT**. The Court has already explained the United States' responsibilities under *Brady*, *Giglio*, and their progeny. (See, e.g., Hr'g Mins. 1, Dkt. No. 114; Second Am. Pretrial Scheduling and Litigation Management Order 2.) The Court notes that Mr. Kushner brought the motion based on his professional judgment that a defense request for *Brady* materials could be important if there is litigation in the future over an alleged *Brady* violation.

3. Mr. Huitzil's Motion for Disclosure of Grand Jury Transcripts (Dkt. No. 136) is **DENIED AS MOOT**. At the hearing, counsel for Mr. Huitzil reported that this motion sought the grand jury testimony of the witness appearing at the motions hearing today, which he received last night. Because Mr. Huitzil now has the grand jury transcript he sought, the motion is moot.

Date: March 7, 2024

s/ John F. Docherty  
JOHN F. DOCHERTY  
United States Magistrate Judge